

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 12-610.2 as follows:

6 (625 ILCS 5/12-610.2)

7 Sec. 12-610.2. Electronic communication devices.

8 (a) As used in this Section, ~~Section:~~ "Electronic  
9 communication device" means an electronic device, including  
10 but not limited to a hand-held wireless telephone, hand-held  
11 personal digital assistant, or a portable or mobile computer  
12 ~~while being used for the purpose of composing, reading, or~~  
13 ~~sending an electronic message,~~ but does not include a global  
14 positioning system or navigation system or a device that is  
15 physically or electronically integrated into the motor  
16 vehicle.

17 ~~"Electronic message" means a self contained piece of~~  
18 ~~digital communication that is designed or intended to be~~  
19 ~~transmitted between physical devices. "Electronic message"~~  
20 ~~includes, but is not limited to electronic mail, a text~~  
21 ~~message, an instant message, or a command or request to access~~  
22 ~~an Internet site.~~

23 (b) A person may not operate a motor vehicle on a roadway

1 while using an electronic communication device ~~to compose,~~  
2 ~~send, or read an electronic message.~~

3 (c) A violation of this Section is an offense against  
4 traffic regulations governing the movement of vehicles. A  
5 person who violates this Section shall be fined a maximum of  
6 \$75 for a first offense, \$100 for a second offense, \$125 for a  
7 third offense, and \$150 for a fourth or subsequent offense.

8 (d) This Section does not apply to:

9 (1) a law enforcement officer or operator of an  
10 emergency vehicle while performing his or her official  
11 duties;

12 (2) a driver using an electronic communication device  
13 for the sole purpose of reporting an emergency situation  
14 and continued communication with emergency personnel  
15 during the emergency situation;

16 (3) a driver using an electronic communication device  
17 in hands-free or voice-operated ~~voice-activated~~ mode,  
18 which may include the use of a headset;

19 (4) a driver of a commercial motor vehicle reading a  
20 message displayed on a permanently installed communication  
21 device designed for a commercial motor vehicle with a  
22 screen that does not exceed 10 inches tall by 10 inches  
23 wide in size;

24 (5) a driver using an electronic communication device  
25 while parked on the shoulder of a roadway; ~~or~~

26 (6) a driver using an electronic communication device

1 when the vehicle is stopped due to normal traffic being  
2 obstructed and the driver has the motor vehicle  
3 transmission in neutral or park; ~~+~~

4 (7) a driver using two-way or citizens band radio  
5 services;

6 (8) a driver using two-way mobile radio transmitters or  
7 receivers for licensees of the Federal Communications  
8 Commission in the amateur radio service;

9 (9) a driver using an electronic communication device  
10 by pressing a single button to initiate or terminate a  
11 voice communication; or

12 (10) a driver using an electronic communication device  
13 capable of performing multiple functions, other than a  
14 hand-held wireless telephone or hand-held personal digital  
15 assistant (for example, a fleet management system,  
16 dispatching device, citizens band radio, or music player)  
17 for a purpose that is not otherwise prohibited by this  
18 Section.

19 (Source: P.A. 96-130, eff. 1-1-10; 96-1000, eff. 7-2-10.)